SENATE JOURNAL TWENTY-FOURTH DAY MORNING SESSION

The Senate was called to order at 10:00 a.m., with President Al Mansell presiding.

Roll Call- All Senators present, except Senators Hale and Spencer excused. **Prayer** -President Glade Barney, L.D.S. Stake President **Pledge of Allegiance**-Senator Michael Waddoups

READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 8)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 6, 2001
The House passed **H.B. 78**, SALES AND USE TAX - SALES RELATING
TO SCHOOLS, by Representative B. Johnson, and it is transmitted for

consideration; and

The House passed, as amended, **H.B. 80**, TEACHER TRANSFERS, by

Representative M. Thompson, and it is transmitted for consideration; and

The House passed **H.B. 85**, SCHOOL BUS - VEHICLE SAFETY REQUIREMENTS, by Representative N. Hendrickson, and it is transmitted for consideration: and

The House passed, as amended, **H.B. 86**, GOVERNMENT REVENUE AND TAX SYSTEM TASK FORCE, by Representative C. Bennion, et al, and it is transmitted for consideration; and

The House passed **H.B. 104**, MENTAL HEALTH PROFESSIONAL FINANCIAL ASSISTANCE GRANTS, by Representative S. Allen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 107**, TOURISM MARKETING AMENDMENTS, by Representative S. Allen, and it is transmitted for consideration; and

The House passed **H.B. 108**, REQUIREMENTS FOR POSTING BOUNDARIES OF HUNTING UNITS, by Representative C. Buttars, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 211**, TUITION WAIVERS FOR TEACHERS, by Representative W. Harper, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 220**, BURGLARY AMENDMENTS, by Representative K. Bryson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 239**, SUPPORT FOR CHILDREN IN STATE CUSTODY, by Representative E. Anderson, and it is transmitted for consideration; and

The House passed **H.B. 244**, MODIFYING THE ELECTRIC DEREGULATION AND CUSTOMER CHOICE TASK FORCE, by Representative T. Hatch, and it is transmitted for consideration; and

The House passed **H.B. 257**, MANDATORY CHILD PROTECTIVE SERVICE REQUIREMENTS, by Representative M. Throckmorton, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 258**, CRIMINAL SENTENCING AMENDMENTS, by Representative S. Daniels, and it is transmitted for consideration; and

The House passed **H.C.R. 2**, RESOLUTION URGING SCHOOL BOARDS TO KEEP MEDIA RESOURCES A PRIORITY, by Representative A.L. Tyler, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.C.R. 3**, RESOLUTION SUPPORTING FLAMING GORGE DAM AND RESERVOIR AND GLEN CANYON DAM AND LAKE POWELL, by Representative G. Snow, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 78, H.B. 80,** as amended, **H.B. 85, H.B. 86,** as amended, **H.B. 104, H.B. 107,** as amended, **H.B. 108, H.B. 211,** as amended, **2nd Sub. H.B. 220, H.B. 239,** as amended, **H.B. 244, H.B. 257, H.B. 258,** as amended, **H.C.R. 2,** and **1st Sub. H.C.R. 3** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President:

February 6, 2001

Day 24

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **S.B. 84**, STATE OLYMPIC AMENDMENTS, by Senator B. Evans; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **S.B. 139**, NONPROFIT CORPORATION ACT AMENDMENTS, by Senator L. Hillyard; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **S.B. 151**, UNIFORM COMMERCIAL CODE - TECHNICAL AMENDMENTS, by Senator L. Hillyard; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **S.B. 157**, VEHICLE SAFETY INSPECTION AMENDMENTS, by Senator D.C. Buttars, et al, with the following amendments:

- 1. Page 1, Line 10: After "fees." insert "This act takes effect on January 1, 2002."
- 2. Page 4, Lines 102-103:
 Reinstate "frequency of the" reinstate "shall be determined based on the age of the vehicle determined by model year and shall be required" and delete "is required every year following the"
- 3. Page 4, Lines 104-105:

 Delete all of lines 104 through 105 and insert "each year for a vehicle two or more years old."
- 4. Page 6, Line 154:
 After line 154 insert
 "Section 4. Effective Date.
 This act takes effect on January 1, 2002."

Dan R. Eastman, Chair; and

Mr. President:

February 6, 2001

The Health and Environment Committee recommends **S.B. 69**, MEDICAL CLAIMS AMENDMENTS, by Senator L. Blackham, be replaced and favorably recommends **1st Sub. S.B. 69**, MEDICAL CLAIMS AMENDMENTS; and

The Health and Environment Committee reports a favorable recommendation on **H.C.R. 4**, RESOLUTION ON CENTENNIAL OF DAUGHTERS OF UTAH PIONEERS, by Representative C. Bennion.

Peter C. Knudson, Chair; and

Mr. President:

February 6, 2001

The Human Services Committee reports a favorable recommendation on **S.B. 119**, CHILD WELFARE RECORDS AMENDMENTS, by Senator L. Hillyard, with the following amendments:

1. Page 1, Line 26:

After "Family Services" insert ", after an evidentiary hearing"

2. Page 4, Line 110:

Delete the brackets and restore "Notwithstanding any other provision of law", and delete the rest of the line

Day 24

3. Page 4, Line 111:

Delete "62A-4a-116 and 62A-4a-412"

4. Page 4, Line 112:

At the end of the line, delete the brackets and restore "to"

5. Page 4, Line 113:

Delete "and will be used by the division as evidence in"

6. Page 4, Line 115:

After "records." insert "The above disclosures are not required in the following circumstances:

(a) The division or other state or local public agency did not originally create the record being requested. In those circumstances, the person making the request under this section shall be informed of the following:

(i) the existence of all records in the possession of the division or any other state or local public agency;(ii) the name and address of the person or agency that originally created the record; and(iii) that he must seek access to the record from the person or agency that originally created the record.(b) Disclosure of the record would jeopardize the life or physical safety of a child who has been a victim of child abuse or neglect, or any person who provided substitute care for the child.(c) Disclosure of the record would jeopardize the anonymity of the person or persons making the initial report of abuse or neglect or any others involved in the subsequent investigation.(d) Disclosure of the record would jeopardize the life or physical safety of a person who has been a victim of domestic violence."; and

The Human Services Committee reports a favorable recommendation on **S.B. 136**, PARENTING PLAN FOR DIVORCING PARENTS, by Senator L. Hillyard, with the following amendments:

1. Page 1, Line 22:

After "joint legal custody" insert "or joint physical custody or both"

2. Page 1, Line 23:

After "joint legal custody" insert "or joint physical custody or both"

3. Page 5, Line 151:

Delete "shall" and insert "may"

John W. "Bill" Hickman, Chair; and

Mr. President:

February 6, 2001

The State and Local Affairs Committee reports a favorable recommendation on **H.B. 88**, PRIVATE RECORDS UNDER GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, by Representative C. Beshear, with the following amendments:

1. Page 1, Line 11:

After "statute." insert "This act removes any liability for damages that a government entity or government employee may have if they negligently disclose certain private records. This act takes effect January 1, 2002."

2. Page 1, Line 23:

After Line 23 insert: "63-2-803, as last amended by Chapter 280, Laws of Utah 1992"

3. Page 16, Line 462:

After "employee to" delete "any" and insert "each agency of a"

4. Page 16, Line 466:

After "notice" insert ":(A) provide evidence of qualifying employment;

(B) request assistance by the agency to identify the records containing information in Subsection (1)(b)(i),

(C) designate each specific record that the applicant desires to be classified as private; and (D)"

5. Page 17, Line 496:

After line 496 insert:

"Section 11. Section 63-2-803 is amended to read:

63-2-803 No liability for certain decisions of a governmental entity or a political subdivision. Neither the governmental entity or political subdivision, nor any officer or employee of the governmental entity or political subdivision, is liable for damages resulting from the release of a record where the person or government requesting the record

presented evidence of authority to obtain the record even if it is subsequently determined that the requester had no authority.

- (2) Neither the governmental entity or political subdivision, nor any officer or employee of the governmental entity or political subdivision, is liable for damages arising from the negligent disclosure of records classified as private under Subsection 63-2-302(1)(a)(vi) unless:
- (a) the disclosure was of employment records maintained by the governmental entity; or
- (b) the disclosure was of non-employment records and the current or former government employee had filed the notice required by Subsection 63-2-302(1)(b)."

Renumber remaining section accordingly.

6. Page 18, Line 536:

After line 536 insert

:"Section 12. Effective date.

This act takes effect January 1, 2002."; and

The State and Local Affairs Committee reports a favorable recommendation on H.B. 202, 511 COMMUNICATIONS SYSTEM, by Representative M. Dillree.

Carlene M. Walker. Chair

Day 24

On motion of Senator Poulton, the committee reports were adopted. S.B. 84, S.B. 139, S.B. 151, S.B. 157, as amended, S.B 69, H.C.R. 4, S.B. 119, as amended, S.B. 136, as amended, H.B. 88, as amended, and H.B. 202 were placed on Second Reading Calendar.

CONSENT CALENDAR

H.B. 215, FORGERY AMENDMENTS, was read the third time, explained by Senator Suazo, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Mayne
Peterson	Poulton	Steele	Stephenson
Suazo	Valentine	Waddoups	Walker
Wright	Mansell	-	

Absent or not voting were: Senators

Hale Julander Spencer

H.B. 215 was signed by the President of the Senate in open session and returned to the House.

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1st Sub. H.B. 209, ISSUANCE OF A DRIVERS LICENSE, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hellewell	Hickman
Hillyard	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Steele
Stephenson	Suazo	Valentine	Waddoups
Walker	Wright	Mansell	_

Absent or not voting were: Senators

Hale Spencer

1st Sub. H.B. 209 was signed by the President of the Senate in open session and returned to the House.

THIRD READING CALENDAR

S.B. 130, R.S. 2477 AMENDMENTS, was read the third time, explained by Senator Hickman, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Davis	Dmitrich	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Mayne
Peterson	Poulton	Steele	Stephenson
Suazo	Valentine	Waddoups	Walker
Wright	Mansell	-	

Absent or not voting were: Senators

Spencer Hale **Buttars**

S.B. 130 was transmitted to the House.

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S.B. 86, VOTER INFORMATION PAMPHLET AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Davis	Dmitrich	Eastman	Evans
Hellewell	Hickman	Hillyard	Julander
Knudson	Mayne	Peterson	Poulton
Steele	Suazo	Valentine	Waddoups
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Walker Mansell

Voting in the negative were: Senators

Gladwell **Jenkins** Stephenson Wright

Absent or not voting were: Senators

Buttars Hale Spencer

S.B. 86 was transmitted to the House.

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S.B. 142, PERSONNEL MANAGEMENT ACT REVISIONS, was read the third time.

On motion of Senator Hillyard, the bill was circled.

S.B. 57, INSTRUCTION IN MANDARIN CHINESE IN PUBLIC SCHOOLS, was read the third time, explained by Senator Stephenson. Senators Knudson, Ron Allen, and Valentine commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

R. Allen	Blackham	Bramble
Davis	Dmitrich	Eastman
Gladwell	Hellewell	Hickman
Jenkins	Julander	Knudson
Peterson	Poulton	Steele
Suazo	Valentine	Waddoups
Wright	Mansell	•
	Davis Gladwell Jenkins Peterson Suazo	Davis Dmitrich Gladwell Hellewell Jenkins Julander Peterson Poulton Suazo Valentine

Absent or not voting were: Senators

Hale Spencer

S.B. 57 was transmitted to the House.

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S.B. 121, ACCESS TO HEALTH CARE AND COVERAGE TASK FORCE, was read the third time, explained by Senator Knudson.

On motion of Senator Wright, the bill was amended as follows:

1. Page 2, Line 45:

Buff Copy - Senate Committee Amendments 2-1-01: After line 45 insert "(b) the impact of any willing provider laws on access to primary care: and" and renumber remaining subsections accordingly

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Bramble	Davis
Eastman	Evans	Gladwell	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Blackham	Buttars	Dmitrich	Hale
Spencer			

S.B. 121 was transmitted to the House.

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1st Sub. S.B. 64, ADOPTION LAW AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Eastman	Evans	Gladwell	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Buttars Davis Dmitrich Hale Spencer

1st Sub. S.B. 64 was transmitted to the House.

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S.B. 135, PROVIDING FOR SELECTIVE SERVICE REGISTRATION, was read the third time, explained by Senator Poulton, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Dmitrich	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Mayne	Peterson
Poulton	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
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Absent or not voting were: Senators

Davis Hale Knudson Spencer

S.B. 135 was transmitted to the House.

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S.B. 165, NONCUSTODIAL VISITATION, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hellewell	Hillyard
Jenkins	Knudson	Peterson	Poulton
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Hale Hickman Julander Mayne Spencer

S.B. 165 was transmitted to the House.

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1st Sub. S.B. 127, BAIL BOND AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hillyard	Jenkins
Knudson	Peterson	Poulton	Steele
Stephenson	Suazo	Valentine	Waddoups
Walker	Wright	Mansell	-

Absent or not voting were: Senators

Dmitrich	Hale	Hickman	Julander
Mayne	Spencer		

1st Sub. S.B. 127 was transmitted to the House.

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S.B. 128, JUSTICE COURT APPEALS REVISION, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hillyard	Jenkins
Julander	Knudson	Peterson	Poulton
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Dmitrich Hale Hickman Mayne Spencer

S.B. 128 was transmitted to the House.

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S.B. 149, UTAH PROSECUTION COUNCIL AMENDMENTS, was read the third time, explained by Senator Ron Allen, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Peterson
Poulton	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell	-		· ·

Absent or not voting were: Senators

Dmitrich Hale Mayne Spencer

S.B. 149 was transmitted to the House.

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S.B. 67, SALES TAX - DISTRIBUTION OF OLYMPIC SPECIAL REVENUE FUND MONIES, was read the third time.

On motion of Senator Waddoups, the bill was circled.

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S.B. 89, STATE PARKS ACCESS ROADS AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Peterson
Poulton	Stephenson	Suazo	Valentine
Waddoups	Walker	Mansell	

Absent or not voting were: Senators

Dmitrich	Hale	Mayne	Spencer
Steele	Wright	-	_

S.B. 89 was transmitted to the House.

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S.B. 60, UNIFORM ATHLETE AGENTS ACT, was read the third time.

On motion of Senator Hillyard, the following substitute bill replaced the original bill.

UNIFORM ATHLETE AGENTS ACT

Sub. S.B. 60

Lyle W. Hillyard

THIS ACT ENACTS THE UNIFORM ATHLETE AGENTS ACT. THE ACT DEFINES TERMS. THE ACT REQUIRES REGISTRATION OF ATHLETE AGENTS AND DESCRIBES THE FORM OF THE APPLICATION FOR REGISTRATION. THE ACT CREATES REQUIREMENTS FOR AGENCY CONTRACTS INCLUDING WARNINGS TO STUDENT ATHLETES. THE ACT REQUIRES A STUDENT-ATHLETE TO NOTIFY THE EDUCATIONAL INSTITUTION WHERE THE STUDENT IS ENROLLED WITHIN 72 HOURS OF SIGNING AN AGENCY CONTRACT. THE ACT ALLOWS A STUDENT-ATHLETE TO CANCEL AN AGENCY CONTRACT WITHIN 14 DAYS AFTER IT IS SIGNED. THE ACT REQUIRES AN ATHLETE AGENT TO RETAIN RECORDS. THE ACT PROHIBITS AN ATHLETE AGENT FROM ENGAGING IN CERTAIN CONDUCT. THE ACT PROVIDES CRIMINAL, CIVIL, AND ADMINISTRATIVE PENALTIES.

On motion of Senator Hillyard, the bill was circled.

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1st Sub. S.B. 61, ENHANCEMENT TO THE STATE SYSTEMS OF PUBLIC AND HIGHER EDUCATION, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Davis	Eastman	Evans	Gladwell
Hellewell	Hickman	Hillyard	Jenkins
Julander	Knudson	Peterson	Poulton
Stephenson	Suazo	Valentine	Waddoups
Walker	Wright	Mansell	

Absent or not voting were: Senators

Buttars Dmitrich Hale Mayne

Spencer Steele

1st Sub. S.B. 61 was transmitted to the House.

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S.B. 140, CULTURAL AND LINGUISTIC COMPETENCY IN HEALTH CARE TASK FORCE, was read the third time, explained by Senator Suazo, and passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Davis
Eastman	Evans	Gladwell	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Peterson	Steele	Stephenson
Suazo	Valentine	Waddoups	Walker
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Mansell

Voting in the negative were: Senators

Bramble Poulton Wright

Absent or not voting were: Senators

Buttars Dmitrich Hale Mayne

Spencer

S.B. 140 was transmitted to the House.

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H.B. 195, DEPARTMENT OF HEALTH - FEE PROCESS, was read the third time, explained by Senator Poulton, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Peterson
Poulton	Steele	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Dmitrich Hale Mayne Spencer Stephenson

H.B. 195 was signed by the President of the Senate in open session and returned to the House.

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3rd Sub. S.B. 27, INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND INCOME TAX CREDITS FOR MINING ESTABLISHMENTS, was read the third time.

On motion of Senator Stephenson, the bill was circled.

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H.B. 206, COUNTIES ACCUMULATION OF RETAINED EARNINGS, was read the third time.

On motion of Senator Blackham, the bill was circled.

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On motion of Senator Blackham, the circle was removed from **H.B. 213**, FISHING LICENSE EXEMPTION FOR YOUTH IN YOUR CORRECTIONS, and it was before the Senate.

On motion of Senator Blackham, the bill was amended as follows:

1. Page 2, Line 34:

After line 34 insert the following:

- "(3)(a) An institution that receives a certificate of registration authorizing at-risk youth to fish shall provide instruction to the youth on fishing laws and regulations.
- (b) The division shall provide educational materials to the institution to assist it in complying with Subsection (3)(a)."

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Peterson
Poulton	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Dmitrich Hale Mayne Spencer Steele

H.B. 213 was transmitted to the House.

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H.J.R. 2, RESOLUTION ON SOCIAL SECURITY, was read the third time.

On motion of Senator Valentine, the bill was amended as follows:

1. Page 3, Line 61:

After "widows" delete the remainder of line 61 and delete lines 62-63 and insert "and widowers because they must forego either their own benefit or their deceased spouse's benefit ("widow(er)" benefit), and may claim the widow(er) benefit only after attaining qualification age themselves regardless of the age of the deceased spouse;"

The bill passed on the following roll call:

Yeas, 18; Nays, 6; Absent, 5.

Voting in the affirmative were: Senators

Blackham	Bramble	Buttars	Eastman
Evans	Gladwell	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Poulton
Stephenson	Valentine	Waddoups	Walker
Wright	Mansell	•	

Voting in the negative were: Senators

E. Allen	R. Allen	Davis	Julander
Peterson	Suazo		

Absent or not voting were: Senators

Dmitrich	Hale	Mayne	Spencer
Steele			

H.J.R. 2 was returned to the House.

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H.B. 62, OPERATION AND MAINTENANCE OF STATE BUILDINGS, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Peterson
Poulton	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Dmitrich	Hale	Mayne	Spencer
Steele		•	-

H.B. 62 was signed by the President of the Senate in open session and returned to the House.

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On motion of Senator Blackham, the Senate voted to reconsider its action on H.B. 62.

On motion of Senator Blackham, **H.B. 62** was placed on Third Reading Table due to fiscal impact.

H.B. 49, VEHICLE SUSPENSION LIFT LAWS, was read the third time.

On motion of Senator Hickman, the bill was circled.

On motion of Senator Valentine the Senate will consider Senate bills on the Second Reading Calendar today.

SECOND READING CALENDAR

1st Sub. S.B. 146, PERFORMING UNLAWFUL MARRIAGES, was read the second time. Senator Ron Allen explained the bill. Senators Poulton, Buttars, Valentine, and Hellewell commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Peterson
Poulton	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell	•		O

Absent or not voting were: Senators

Dmitrich Hale **Spencer** Mayne

On motion of Senator Valentine, the Senate voted to reconsider its action on **S.B.** 57.

On motion of Senator Eastman, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

S.B. 57, INSTRUCTION IN MANDARIN CHINESE IN PUBLIC SCHOOLS, was before the Senate.

On motion of Senator Eastman, the bill was amended as follows:

- 1. Page 1, Line 6: Delete "requiring" and insert "allowing"
- 2. Page 1, Line 25a: Delete "shall" and insert "may"

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Peterson
Poulton	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mancall	-		Ü

Mansell

Absent or not voting were: Senators

Dmitrich Hale **Spencer** Mayne

S.B. 57 was transmitted to the House.

On motion of Senator Poulton, the Senate voted to move to Second Reading Calendar.

SECOND READING CALENDAR

1st Sub. S.B. 87, ANTIQUE FIREARMS AMENDMENTS, was read the second time. Senator Waddoups explained the bill. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans

Gladwell	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Peterson
Poulton	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell	•		O

Absent or not voting were: Senators

20

Dmitrich Hale Mayne Spencer

* * *

On motion of Senator Stephenson, a bill file will be opened for a concurrence resolution regarding Spencer Eccles.

* * *

On motion of Senator Poulton and at 11:40 a.m., the Senate adjourned until 10:00 a.m., Thursday, February 8, 2001.

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S.B. 4 PROHIBI	TION OF INTIMACY WITH PERSON IN CUSTODY (P. Julander)	
	Read for the first time and referred to the Rules Committee	13
	Assigned to standing committee	95
	Committee report adopted and placed on calendar Read the second time	25
	Signed by the President and transmitted to the Governor 4	145
S.B. 5 DISASTE	R RELIEF APPROPRIATION REPEAL (T. Spencer) Read for the first time and referred to the Rules Committee	10
	Placed on calendar	34
	Read the second and third time	35
	Transmitted to the House Signed by the President and transmitted to the Governor 4	36 144

S.B. 6 -	REPEAL OF 1933 UTAH CODE REVISION STATUTES (M. Peterson)
	Read for the first time and referred to the Rules Committee Placed on calendar
	Read the second and third time
	Transmitted to the House
	Signed by the President and transmitted to the Governor
S.B. 7 -	STATE TEXTBOOK COMMISSION AMENDMENTS (D. Steele)
	Read for the first time and referred to the Rules Committee
	Assigned to standing committee
	Placēd on calendar
	Amendments
	Read the second time
	Read the third time Transmitted to the House
5.в. 8 -	REAUTHORIZATION OF UTAH STEAM COAL TAX CREDIT (M. Dmitrich) Read for the first time and referred to the Rules Committee
	Assigned to standing committee
	Placed on calendar
	Read the second time
	Amendments
	Read the third time
	Circled
	Uncircled
	Transmitted to the House
	Signed by the President and transmitted to the Governor
э.в. 9 -	REPEAL OF AUTHORIZATION FOR CONSTRUCTION OF CERTAIN FACILITIES COMPLETED (B. Evans) Read for the first time and referred to the Rules Committee
	Placed on calendar
	Read the second and third time
	Transmitted to the House
	Signed by the President and transmitted to the Governor
SR 10	0 SUNSET REAUTHORIZATIONS (M. Peterson)
	Read for the first time and referred to the Rules Committee
	Placed on calendar
	Amendments
	Read the second and third time
	Transmitted to the House
	Signed by the President and transmitted to the Governor
S.B. 11	1 ELECTRONIC GOVERNMENT SERVICES AMENDMENTS - DRIVERS LICENSE (D. Steele)
	Read for the first time and referred to the Rules Committee
	Assigned to standing committee
	Amendments
	Read the second time
	Read the second time Read the third time
	Circled
	Uncircled
	Transmitted to the House
	Signed by the President and transmitted to the Governor
S.R. 12	2 TRAFFIC MANAGEMENT COMMITTEE AMENDMENTS (P. Knudson)
J.D. 16	Read for the first time and referred to the Rules Committee
	Assigned to standing committee
	Placed on calendar
	Read the second time
	Read the third time
	Transmitted to the House
	Signed by the President and transmitted to the Governor
S.B. 13	3 REPEAL OF ATTORNEYS AND COUNSELORS PROVISIONS (T. Spencer)
	Read for the first time and referred to the Rules Committee
	Placed on calendar
	Transmitted to the House Signed by the President and transmitted to the Governor
CD 14	
S.B. 14	4 ACCOUNTS OF POLITICAL SUBDIVISIONS - REPEAL (T. Spencer) Read for the first time and referred to the Rules Committee
	Placed on calendar
	Placed on calendar
	Transmitted to the House
	Signed by the President and transmitted to the Governor
C P 4"	8
S.B. 15	5 REPEAL OF COMMISSIONERS OF DEEDS PROVISIONS (B. Evans) Page 6 for the first time and referred to the Pulse Committee
	Read for the first time and referred to the Rules Committee
	Placed on calendar
	Transmitted to the House Signed by the President and transmitted to the Governor
.в. 16	6 TEACHER QUALITY AMENDMENTS (D. Steele)
	Read for the first time and referred to the Rules Committee

	Assigned to standing committee 5 Amendments 166, 17 Committee report adopted and placed on calendar 9 Read the second time 12 Read the third time 14 Circled 145, 16 Uncircled 166, 17 Transmitted to the House 17	95 25 45 67
	AY CONSTRUCTION BID LIMIT (P. Knudson) Read for the first time and referred to the Rules Committee	34 75 02 21 02 21 226 226 229 229
S.B. 18 REPEAI	OF DEFINITION OF LAW (T. Spencer) Read for the first time and referred to the Rules Committee	35 39 39
S.B. 19 ICE CRI	AM AND MILK DISPENSER REQUIREMENTS (G. Davis) Read for the first time and referred to the Rules Committee	78 49 81 81
S.B. 20 REPORT	ING REQUIREMENTS FOR SCIENCE CENTER AUTHORITY (P. Hellewell) Read for the first time and referred to the Rules Committee	75 81 03 03 04
	Read for the first time and referred to the Rules Committee 1 Assigned to standing committee 3 Placed on calendar 6 Read the second time 8 Read the third time 16 Circled 16 Uncircled 16 Tansmitted to the House 16	75 81 03 03 04 05 06 17 52 16 39 7 98 81
S.B. 21 INFORM	Read for the first time and referred to the Rules Committee 1 Assigned to standing committee 5 Placed on calendar 6 Read the second time 8 Read the third time 16 Circled 11 Uncircled 16 Transmitted to the House 16 Signed by the President and transmitted to the Governor 46 IATION TECHNOLOGY COMMISSION AMENDMENTS (D. Steele) Read for the first time and referred to the Rules Committee 1 Assigned to standing committee 5 Placed on calendar 11 Read the third time 16 Read the third time 15 Inansmitted to the House 15 Returned to the House 15 Signed by the President and returned to the House 5 NATION - MOTOR AND SPECIAL FUEL TAXES (M. Dmitrich) Read of the first time and referred to the Rules Committee 3 Assigned to standing committee 3 Committee report adopted and placed on calendar 26 Read the third time 44	75 81 03 03 04 05 06 17 52 16 69 97 98 134 135 14 17 18 18 18 18 18 18 18 18 18 18 18 18 18
S.B. 21 INFORM S.B. 22 NAVAJO	Read for the first time and referred to the Rules Committee 1 Assigned to standing committee 3 Placed on calendar 6 Read the second time 8 Read the third time 16 Circled 16 Uncircled 16 Transmitted to the House 16 Signed by the President and transmitted to the Governor 46 AATION TECHNOLOGY COMMISSION AMENDMENTS (D. Steele) 18 Read for the first time and referred to the Rules Committee 1 Assigned to standing committee 5 Placed on calendar 11 Read the second time 16 Read the third time 16 Transmitted to the House 19 Returned to the House 19 Concurrence 44 Signed by the President and returned to the House 52 NATION - MOTOR AND SPECIAL FUEL TAXES (M. Dmitrich) 8 Read for the first time and referred to the Rules Committee 1 Assigned to standing committee 2 Committee report adopted and placed on calendar 28	75 81 03 04 05 06 17 52 16 69 7 98 81 83 17 84 85 112 13

Uncircled
Transmitted to the H
S.B. 25 ATHLETIC COMMISSION RI Read for the first time Assigned to standing Placed on calendar Read the second time Read the third time Circled Uncircled
S.B. 25 UTAH PROFESSIONAL ATH Substituted
Sub. S.B. 25 UTAH PROFESSIONAL Circled
Transmitted to the Ho S.B. 26 MASTER ROAD AMENDME
Read for the first time Assigned to standing Substituted
Sub. S.B. 26 MASTER ROAD AMEN Placed on calendar . Read the second time Read the third time . Transmitted to the H
S.B. 27 SALES AND USE TAX EXEM Read for the first tim Assigned to standing Substituted
3rd Sub. S.B. 27 INDIVIDUAL INCO MINING ESTABLIS Amendments Committee report ade Read the second time Circled Uncircled Read the third time . Circled
S.B. 28 UTAH PERFORMANCE ASS Read for the first time Assigned to standing Placed on calendar Amendments Read the second time Circled Read the third time . Uncircled
S.B. 29 FAMILIES, AGENCIES, AND AMENDMENTS (R. Read for the first tim Assigned to standing Placed on calendar . Read the second time Read the third time . Transmitted to the H
S.B. 30 FILING EMPLOYEE TAX INI Read for the first time Assigned to standing Placed on calendar . Read the second time Read the third time . Transmitted to the He Signed by the Preside
S.B. 31 AREA HEALTH EDUCATION Read for the first time Assigned to standing Placed on calendar Amendments Read the second time Circled Read the third time . Uncircled Transmitted to the H

	Uncircled Transmitted to the House	$\frac{123}{123}$
S.B. 25 ATHLET	TC COMMISSION RESPONSIBILITIES (P. Suazo)	
	Read for the first time and referred to the Rules Committee Assigned to standing committee Placed on calendar Read the second time	18
	Placed on calendar	75
	Read the second time	82
	Read the third time	103
	Circled Uncircled	143
S.B. 25 UTAH P	ROFESSIONAL ATHLETIC COMMISSION ACT (P. Suazo) Substituted	143
Sub. S.B. 25 UTA	AH PROFESSIONAL ATHLETIC COMMISSION ACT (P. Suazo)	
	Circled	144
	Read the third time Transmitted to the House	165
S.B. 26 MASTEI	R ROAD AMENDMENTS (P. Knudson)	
	Read for the first time and referred to the Rules Committee	3/
	Read for the first time and referred to the Rules Committee Assigned to standing committee Substituted	193
	STER ROAD AMENDMENTS (P. Knudson)	
	Placed on calendar	194
	Read the second time Read the third time	234 258
	Transmitted to the House	259
S.B. 27 SALES A	AND USE TAX EXEMPTION FOR MINING ESTABLISHMENTS (H. Stephenson)	
	Read for the first time and referred to the Rules Committee Assigned to standing committee Substituted	19
	Assigned to standing committee	ر5 218
	INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND INCOME TAX CREDITS FOR	
3ru 3ub. 3.d. 27	MINING ESTABLISHMENTS (H. Stephenson)	
	Amendments Committee report adopted and placed on calendar	534
	Read the second time	222 260
	Circled Uncircled	260
	Uncircled	533
	Read the third time Circled	579
S.B. 28 UTAH PI	ERFORMANCE ASSESSMENT FOR STUDENTS AMENDMENTS (H. Stephenson)	
	Read for the first time and referred to the Rules Committee	19
	Assigned to standing committee Placed on calendar	33
	Amendments	115
	Read the second time Circled Read the third time	168
	Read the third time	168 200
	Uncircled Transmitted to the House	179
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S.B. 29 FAMILIE	ES, AGENCIES, AND COMMUNITIES TOGETHER FOR CHILDREN AND YOUTH AT RISK	
	AMENDMENTS (R. Allen) Read for the first time and referred to the Rules Committee	20
	Assigned to standing committee	33
	Placed on calendar	75
	Read the third time Transmitted to the House	104
		104
S.B. 30 FILING	EMPLOYEE TAX INFORMATION ELECTRONICALLY (D. Steele)	
	Read for the first time and referred to the Rules Committee	34
	Assigned to standing committee	116
	Read the second time Read the third time	169
	Transmitted to the House	$\frac{197}{197}$
	Signed by the President and transmitted to the Governor	444
S.B. 31 AREA H	EALTH EDUCATION CENTER AMENDMENTS (P. Knudson)	
	Read for the first time and referred to the Rules Committee Assigned to standing committee	20
	Placed on calendar	75
	Amendments	74
	Read the second time	82
	Circled Read the third time	142
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S.B. 32 LEGISLA	ATIVE PROCESS COMMITTEE - DUTIES AND RESPONSIBILITIES (L. Blackham)	
	Read for the first time and referred to the Rules Committee Assigned to standing committee	20
	Placed on calendar	75
	Placed on calendar Read the second time	86
	Read the third time	120
	Read the third time Circled Uncircled	124
	Transmitted to the House	124
	Signed by the President and transmitted to the Governor	406
S.B. 33 MENTAI	L HEALTH SERVICES FOR FOSTER AND ADOPTED CHILDREN TASK FORCE (G. Davis)	91
	Read for the first time and referred to the Rules Committee Assigned to standing committee Placed on calendar	33
	Placed on calendar	75
	Read the second time Read the third time	
	Amendments	103
	Transmitted to the House	104
S.B. 34 INDIVID	DUAL INCOME TAX RELIEF FOR LOW-INCOME INDIVIDUALS AND RELATED STATE TAX	
	COMMISSION AMENDMENTS (L. Hillyard)	40
	Read for the first time and referred to the Rules Committee Assigned to standing committee	138
	Assigned of standing Committee Amendments Committee report adopted and placed on calendar Read the second time Circled	219
	Committee report adopted and placed on calendar	222
	Kead the second time	260
	Uncircled	307
	Read the third time	
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S.B. 35 PUBLIC	EDUCATION CAPITAL OUTLAY ACT AMENDMENTS (M. Waddoups)	91
	Read for the first time and referred to the Rules Committee Assigned to standing committee	33
	Placed on calendar	116
	Read the second time Read the third time	168
	Transmitted to the House	197
SR 36 INDIVID	OUAL INCOME TAX - BRACKET ADJUSTMENTS (J. Valentine)	
5.2.00	Read for the first time and referred to the Rules Committee	21
	Assigned to standing committee	34
	Placed on calendar Read the second time	75 85
	Read the third time	120
	Circled Uncircled	120
	Transmitted to the House	123
S.B. 37 HATE CI	RIMES AMENDMENTS (P. Suazo)	
5.2.0.	Read for the first time and referred to the Rules Committee	22
	Assigned to standing committee	34
	Amendments	94 95
	Read the second time	126
	Circled	126
	Read the third time	257
	Circled	257
S.B. 38 HIGHWA	AY AUTHORITY WINTER ROAD CLOSURE AUTHORITY (P. Hellewell)	
	Read for the first time and referred to the Rules Committee	22
	Amendments	232
	Assigned to standing committee Amendments Committee report adopted and placed on calendar	95
	Read the second time	232
	Transmitted to the House	257
	Reconsideration	168
	Failed	146
S.B. 39 PERMIS	SIVE USE OF COUNTY AND CITY MONEYS (D.C. Buttars) Read for the first time and referred to the Rules Committee	99
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	Assigned to standing committee Substituted	161
Sub. S.B. 39 ALI	LOWABLE USE OF COUNTY AND CITY RESOURCES (D.C. Buttars)	
	Read the second time	229
Sub. S.B. 39 PEF	RMISSIVE USE OF COUNTY AND CITY MONEYS (D.C. Buttars) Placed on calendar	169
	Substituted	256
	Read the third time	256
	Transmitted to the House	201

S.B. 40 PENALTY FOR USE OF DYED DIESEL (D. Eastman)	
Read for the first time and referred to the Rules Committee	22
Assigned to standing committee	34
Placed on calendar	
Amendments	
Committee report adopted and placed on calendar	
Amendments	
Read the third time	. 142
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Signed by the President and transmitted to the Governor	. 444
S.B. 41 UTAH COORDINATE SYSTEM AMENDMENTS (P. Hellewell)	
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Assigned to standing committee	116
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S.B. 42 EQUITY IN PRESCRIPTION COVERAGE (P. Julander)	
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S.B. 43 MOBILE HOME PARK RESIDENCY (M. Peterson)	
Read for the first time and referred to the Rules Committee	
Assigned to standing committee	93
S.B. 44 FEES PAYABLE TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS (T. Spencer)	0.0
Read for the first time and referred to the Rules Committee Assigned to standing committee	
Placed on calendar	
Read the second time	
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S.B. 46 DECEPTION DETECTION EXAMINERS LICENSING ACT AMENDMENTS (J. Hickman)	
Read for the first time and referred to the Rules Committee	
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S.B. 47 BALLOT REQUIREMENTS ON LEGISLATIVE AND INITIATIVE PROPOSALS (M. Peterson) Read for the first time and referred to the Rules Committee	9.4
Assigned to standing committee	
Amendments	. 219
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Transmitted to the House	
S.B. 48 PASSENGER LIMITATIONS FOR YOUNG DRIVERS (K. Hale)	
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S.B. 50 PROPERTY EXEMPT FROM EXECUTION (C. Walker) Read for the first time and referred to the Rules Committee	95
Assigned to standing committee	. 160
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Substituted	
Sub. S.B. 50 PROPERTY EXEMPT FROM EXECUTION (C. Walker)	
Read the second time	
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S.B. 53 TRUST I	DEED LAW AMENDMENTS (M. Waddoups) Read for the first time and referred to the Rules Committee Assigned to standing committee Amendments Committee report adopted and placed on calendar Substituted Read the second time Circled Uncircled	25 114 221 222 418 261 261
Sub. S.B. 53 TRI	UST DEED LAW AMENDMENTS (M. Waddoups) Circled	418
S.B. 54 EDUCAT	TION ROUNDTABLE (D.C. Buttars) Read for the first time and referred to the Rules Committee Assigned to standing committee Placed on calendar Amendments Read the second time Read the third time Transmitted to the House	114 194 234 234
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	CUNDER THE INFLUENCE PENALTY AMENDMENTS (K. Hale) Read for the first time and referred to the Rules Committee Assigned to standing committee Committee report adopted and placed on calendar Read the second time Circled Uncircled Read the third time Transmitted to the House	53 174 252 310 310 344 411
	CTION IN MANDARIN CHINESE IN PUBLIC SCHOOLS (H. Stephenson) Read for the first time and referred to the Rules Committee Assigned to standing committee Amendments	583 410 524 583 572 583
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Sub. S.B. 58 REI	PEAL OF NURSING FACILITIES ASSESSMENT (P. Knudson) Amendments Read the second time Circled	409 525
S.B. 59 LICENSI	ING OF GENETIC COUNSELORS (P. Julander) Read for the first time and referred to the Rules Committee Assigned to standing committee	95 478
	M ATHLETE AGENTS ACT (L. Hillyard) Read for the first time and referred to the Rules Committee Assigned to standing committee Committee report adopted and placed on calendar Substituted Read the second time Read the third time	116 350 480
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S.B. 63 RESIDENTIAL PROPERTY TAX EXEMPTION - SECONDARY RESIDENCES (E. Mayne) Read for the first time and referred to the Rules Committee	17
S.B. 64 ADOPTION LAW AMENDMENTS (T. Spencer) Read for the first time and referred to the Rules Committee 1. Assigned to standing committee 2. Committee report adopted and placed on calendar 4. Substituted 4.	62 283
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5.R. 1 SENATE I	RESOLUTION AMENDING PROVISIONS RELATING TO LONG TITLE (M. Waddoups)	
	Read for the first time and referred to the Rules Committee Placed on calendar Read the second time Read the third time Transmitted to the House	52 78 99
5.R. 2 SENATE I	RULES RESOLUTION - USE OF MASON'S MANUAL (M. Waddoups) Read for the first time and referred to the Rules Committee Placed on calendar Read the second and third time Transmitted to the House	204
		232
5.R. 3 RESOLUT	FION URGING REQUIREMENT OF BOND TO SUE AN ATTORNEY (T. Spencer) Read for the first time and referred to the Rules Committee	14
5.R. 4 SENATE I	RULES RESOLUTION - SUSPENSION OF RULES (D. Allen) Read for the first time and referred to the Rules Committee	227
S.R. 5 RESOLUT	FION URGING JELL-O RECOGNITION (L. Blackham) Read for the first time and referred to the Rules Committee Placed on calendar Substituted	30: 38(

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Sub. S.R. 5 RESOLUTION URGING JELL-O RECOGNITION (L. Blackham)	
Read the second time	3(
Read the second and third time	3(
Signed by the President and transmitted to the Governor	3
S.R. 6 SENATE RULES RESOLUTION - RE-REFERRING BILLS TO COMMITTEE (M. Waddoups)	
Read for the first time and referred to the Rules Committee	17
Read the second and third time	17
Transmitted to the House	18